

UNITED STATES ATTORNEY'S OFFICE FOR THE SOUTHERN DISTRICT OF NEW YORK APPLICATION CHECKLIST

1. ASSISTANT UNITED STATES ATTORNEY APPLICATION

2. PERSONAL RESUME

3. LAW SCHOOL TRANSCRIPT

a. UNOFFICIAL

b. OFFICIAL

4. STATE BAR CERTIFICATION

5. LETTERS OF RECOMMENDATION

(Require at least two)

6. TWO WRITING SAMPLES

NOTE: Ideally, the writing samples should be your individual work product and consist of a minimum of ten pages each. However, if you are submitting briefs, memoranda, etc. in which other lawyers contributed to the work product, we ask that you identify the argument, point, etc., which you specifically researched and wrote.

7. CONFLICT LETTER

(If applicable, see pp. 4-5 of the AUSA application form.)

8. ETHICS OPINIONS

**PLEASE BE ADVISED THAT BEFORE WE BEGIN TO
PROCESS YOUR APPLICATION ALL OF THE ABOVE
DOCUMENTS AND PAPERS MUST BE RECEIVED BY
THIS OFFICE.**

APPLICATION FOR APPOINTMENT AS AN

3/98

ASSISTANT UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF NEW YORK

PLEASE ANSWER ALL QUESTIONS. TYPE OR PRINT CLEARLY IN DARK INK

Date: _____

I. PERSONAL INFORMATION

1. Name: _____ 2. Sex: _____

3. Date and Place of Birth: _____ U.S. Citizen: _____

4. Employer: _____ 5. Telephone: _____

Address: _____

City, State, Zip: _____

6. Home Address: _____ 7. Telephone: _____

City, State, Zip: _____

NOTE: 28 USC 545 requires that each Assistant United States Attorney shall reside in the district for which he or she is appointed or within 25 miles thereof.

8. Month/Year of any prior application for appointment in SDNY: _____

9. Are you interviewing with any other employer in the private and/or public sector? _____

If so, please identify the stage which the interviewing process has reached.

10. Have you made any employment commitment to any other employer or prospective employer? _____

If so, state the nature of the commitment.

II. EDUCATION INFORMATION

11. Law School: _____ 12. Degree: _____

Address: _____ Grad. Date: _____

MO/YR

City, State, Zip: _____

13. Approximate 3 Year Average: _____ Class Standing: _____

14. Significant Activities and Awards: _____

NOTE: YOU MUST REQUEST YOUR LAW SCHOOL TO PROMPTLY FORWARD AN OFFICIAL TRANSCRIPT OF YOUR GRADES TO THIS OFFICE.

15. College: _____ 16. Major: _____ 17. Degree: _____

Address: _____

City, State, Zip: _____

18. Grad. Date: _____ 19. GPA: _____ 20. Class Standing: _____

MO/YR

21. Significant Activities and Awards: _____

ADDITIONAL GRADUATE EDUCATION

22. School: _____ 23. Grad. Date: _____

MO/YR

Address: _____

City, State, Zip: _____

24. Degree and Subject of Study: _____

25. Significant Activities and Awards: _____

III. LEGAL BACKGROUND

STATE on MO/YR

STATE on MO/YR

NOTE: YOU ARE REQUIRED TO SUBMIT WITH YOUR APPLICATION A CERTIFICATE OF GOOD STANDING OR DOCUMENTARY PROOF FROM THE APPROPRIATE STATE AGENCY STATING THAT YOU ARE CURRENTLY AN ACTIVE, PAID AND REGISTERED MEMBER OF A STATE BAR.

IV. PAST EMPLOYERS AND REFERENCES

28. EMPLOYERS:

<i>DATES</i>	<i>FIRM and ADDRESS</i>	<i>SUPERVISOR and TELEPHONE</i>
<i>FROM:</i>		
<i>TO:</i>		
<i>FROM:</i>		
<i>TO:</i>		
<i>FROM:</i>		
<i>TO:</i>		
<i>FROM:</i>		
<i>TO:</i>		

29. REFERENCES:

<i>NAMES/OCCUPATION</i>	<i>ADDRESS</i>	<i>TELEPHONE</i>
1. _____	_____ _____	_____
2. _____	_____ _____	_____
3. _____	_____ _____	_____

30. References in the U.S. Attorney's Office, SDNY.

31. Do you authorize this Office to contact your employer: _____

32. Do you authorize this Office to contact your references: _____

33. Identify any matter on which you have worked on and/or are presently working on which involves this Office and provide the name of the AUSA assigned to it. If, during the course of the application process, you begin working on any other matter involving this Office, please advise us by written letter with the requisite information.

You have been asked in the foregoing if you are working on a case involving this Office and to list the name of the case and the Assistant United States Attorney working on the case. Please do not list or request those Assistant United States Attorneys to serve as references.

CONFLICT EMPLOYMENT APPLICATION ISSUES:

If you are working on a criminal case involving this Office, you must immediately advise, in writing, the Assistant United States Attorney(s) working on the case that you have submitted an application to this Office so that a hearing pursuant to United States v. Curcio, 680 F.2d 881 (2d Cir. 1982), may be held. A copy of this letter should be forwarded to the

Executive Assistant United States Attorney.

In addition, you may have other disclosure/recusal obligations vis-à-vis clients and/or your employer concerning your application to this Office. Please consult ABA Formal Opinion No. 96-400 (1996) (job negotiations with adverse firm or party); Association of the Bar of the City of New York, Committee on Professional and Judicial Ethics, No. 1991-1 (same); Committee on Codes of Conduct of the Judicial Conference of the United States, Advisory Opinions 81 (when law clerk's future employer is the United States Attorney) and 74 (law clerk's future employer). Copies of these ethics opinions have been included with your application package for your perusal.

If you are a current law clerk in the Southern District of New York or in the Second Circuit, please confirm in writing to the Executive Assistant United States Attorney that you have discussed your application to this Office with your judge and enclose the letter with this application.

V. CONTROLLED SUBSTANCE AND BACKGROUND INVESTIGATION

ALL INDIVIDUALS WHO ARE OFFERED AN ASSISTANT UNITED STATES ATTORNEY POSITION ARE REQUIRED BY DEPARTMENT OF JUSTICE REGULATIONS AND POLICY TO TAKE AND PASS A DRUG TEST.

34. *Have you ever used and/or supplied marijuana, cocaine, heroin, LSD, or any other illegal drugs?*
YES _____ NO _____

35. *Since you have become a member of any state bar, have you used and/or supplied marijuana, cocaine, heroin, LSD, or any other illegal drugs?*
YES _____ NO _____

36. *Have you ever failed to file in a timely manner federal income tax returns, or failed to pay your income tax within 45 days of the date on which it was due, or have you had to pay interest and/or penalties to satisfy your tax liability?*
YES _____ NO _____

37. *Have you ever had any unresolved differences of opinion with the Internal Revenue Service regarding your federal income tax returns?*
YES _____ NO _____

38. *Have you ever had any debts turned over to the collection agency; or have you ever failed to pay a just debt that has been overdue for more than 60 days; or failed to repay a student loan as originally agreed?*
YES _____ NO _____

39. *Within the past ten years have you filed for bankruptcy or have you ever had any court decree, judgement or other order issued against you or your property to which you are not now in full compliance?*
YES _____ NO _____

40. *Have you ever been arrested and/or convicted of any offense?*
YES _____ NO _____

(IF YOU HAVE ANSWERED YES TO ANY OF THE ABOVE QUESTIONS, PLEASE PROVIDE A COMPLETE AND DETAILED EXPLANATION ON A SEPARATE SHEET OF PAPER.)

NOTE: In the event that you receive an offer of employment for the Assistant United States Attorney position, there will

be, pursuant to Department of Justice Order, a thorough background investigation conducted by the Federal Bureau of Investigation. Among other personal background matters, the FBI will check on any past use of controlled substances, credit history and compliance with the federal tax laws. Although difficulties in any of these areas including past use of a controlled substance are not per se disqualifications for appointment as an Assistant United States Attorney, there have been a few instances where we have had to withdraw the employment offer because the FBI investigation revealed information that precluded a security and/or suitability clearance (e.g. failure to timely file income tax returns, serious credit problems, abuse of alcohol, history of usage of controlled substances, misrepresentation on security forms filed by the applicant). It causes a significant hardship for all concerned if such action is required after the lengthy application process. To avoid such hardship, we want to alert you to these potential problems at the outset and invite you to discuss any concerns you may have. Please feel free to contact the Executive Assistant United States Attorney in this Office if you have any questions.

VI. ASSIGNMENT POLICY

The United States Attorney for the Southern District of New York, as a general rule, requires an applicant to make a commitment to serve as an Assistant United States Attorney for three years. Assignment to the Criminal Division or the Civil Division is determined by the needs of the Office at the time of appointment. Also, applicants should be aware that they may be required to serve part of their commitment in the White Plains branch of the United States Attorney's Office. Accordingly, the United States Attorney reserves the right to assign an applicant, who receives and accepts an offer of appointment, to a division or location as dictated by the requirements and needs of this Office.

VII. CERTIFICATION

NOTE TO APPLICANT: Please read the following paragraph carefully and then sign this statement:

A false answer to any of the written questions may be grounds for terminating your employment or denying you employment in a Department of Justice (DOJ) sensitive position, and may be punishable by fine or imprisonment. All the information you have submitted will be considered in reviewing your responses and is subject to investigation (Title 18 U.S.C. § 1001).

CERTIFICATION - I CERTIFY that all the statements made on this six-page form and on any attachments to this form are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. No promises or threats have been made to me, and no pressure or coercion of any kind has been applied against me by any employee of the United States Government.

SIGNATURE

DATE